

C-13-15(ECF)
(Rev. 3/04)

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: Wendy Lee Day

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Debtor(s))

**MOTION
CHAPTER 13**

No: B-10-82250 C-13D

The undersigned Standing Trustee respectfully moves the Court for a hearing on the following:

The Debtor filed a Chapter 13 Petition on December 10, 2010. The Debtor's §341 meeting was scheduled for January 21, 2011. The Debtor failed to appear at the §341 meeting and has failed to make the scheduled Plan payment timely.

The Standing Trustee respectfully recommends to the Court that the Debtor be dismissed from the Plan for failure to appear at the scheduled §341 meeting and for nonpayment.

Date: February 24, 2011
RMH:ltip

s/Richard M. Hutson, II
Standing Trustee

NOTICE TO INTERESTED PARTIES OF HEARING ON MOTION

You are notified that the foregoing matter will be heard before this Court at the Courtroom, Venable Center, Dibrell Building, Suite C280, 302 East Pettigrew Street, Durham, NC, on **April 21, 2011**, at 12:00 p.m.; at which time you may appear and offer your evidence. If you fail to appear, the motion may be taken as true and an Order entered accordingly.

Date: February 24, 2011

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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